

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AGRE-00 CIAE-00 COME-00

DODE-00 DOTE-00 FMC-02 INR-07 NSAE-00 CG-00

DLOS-09 OES-07 L-03 /048 W

-----041811Z 129897 /47

P 041609Z MAY 77

FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 0096

UNCLAS MADRID 3436

DEPARTMENT PASS MARAD AND COGRD

E.O. 11652: N/A

TAGS: EWWT, SP, US

SUBJECT: SPANISH REQUEST FOR INFORMATION ON NATIONAL CARGO
BUREAU AND US GRAIN STANDARDS ACT

1. EMBASSY HAS RECEIVED REQUEST NUMBER 334/77, DATED APRIL 23, FROM COURT OF FIRST INSTANCE, NUMBER 4, GENERAL CASTANOS 1, MADRID, WHICH IS BASED ON REQUEST FROM COURT OF FIRST INSTANCE, NUMBER 4, VALENCIA, IN CASE NUMBER 1377/76, OF THE STATE PROSECUTOR AGAINST NAVIERA AZNAR, SA, OVER A CLAIM IN THE AMOUNT OF 6,024,860 PESETAS.

2. COURT'S FIRST REQUEST IS THAT THE EMBASSY CERTIFY "WHETHER THE NATIONAL CARGO BUREAU ING(SIC), IS AN ASSOCIATION OF PUBLIC LAW THAT WAS CREATED AS AN AUXILIARY OF THE UNITED STATES COAST GUARD FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF THE INTERNATIONAL CONVENTION OF SAFETY OF LIFE AT SEA AND IF ITS CERTIFICATES CONSTITUTE "PRIMA FACIE" EVIDENCE OF THE EXECUTION OF THE FORESEEN REGULATIONS ON LOADING AND STOWAGE OF GRAINS IN SHIPS WHICH MUST BE CARRIED OUT FOR TRANSPORT OF THESE CARGOS, WHICH AIM TO GUARANTEE SAFETY OF NAVIGATION."

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3. FURTHER, EMBASSY IS REQUIRED TO CERTIFY "WHETHER THE CHAMBERS OF COMMERCE OF THE PORTS OF THE USA ARE AUTHORIZED TO ISSUE CERTIFICATES OF STOWAGE ON THE BASIS OF THE US GRAIN STANDARDS ACT AND TO VERIFY IN THESE THAT THE CARGO SPACES OF THE CORRESPONDING SHIPS MEET ADEQUATE CONDITIONS, AT THE TIME OF INSPECTION, TO RECEIVE THE CARGOS AND TO TRANSPORT THEM WITHOUT RISK TO SAME."

4. COMMENT: REQUEST GUIDANCE ON REPLY TO SPANISH COURT.
IT SHOULD BE NOTED THAT COURT'S REQUEST ASKS FOR RESPONSE
"WITHIN THE TERM OF PROOF, WHICH EXPIRES ON MAY 20 NEXT."
STABLER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Sent Date: 04-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Format: TEL
From: MADRID
Handling Restrictions: n/a
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Review Exemptions: n/a
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TAGS: EWWT, SP, US
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